

In re Appln. of Dunn, et al.
Application No. 10/604,539

REMARKS

Reconsideration of the application is respectfully requested. An Office action dated September 9, 2004 is presently pending in the application. Claims 6, 18, 28, and 33 were amended, and no claims have been added or cancelled; therefore, Claims 1-46 are pending in the application.

The Objections To The Claims

Claims 18-27 were objected to because of the following informality: On line 14 of Claim 18, the phrase "aid plurality of footrests" was indicated as needing correction to read "said plurality of footrests." Applicants have made the suggested amendment to Claim 18, and therefore submit that Claims 18-27 are allowable.

The § 112 Rejections of the Claims

Claims 6 and 7 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention. Specifically, there was an object to the limitation "said main body" in line 2 of Claim 6 in that there is insufficient antecedent basis for this limitation in the claim.

Applicants submit that the above Amendments to Claim 6 overcome the objections with respect to Claim 6, and submit that the rejections under § 112 should thus be withdrawn, and that the claims are allowable.

The Claims Indicated as Allowable

Claims 1-5, 8-17, and 40-46 were allowed in the Office action. Claims 33-39 were objected to as being dependant upon a rejected base claim, but were indicated as allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicants have rewritten Claim 33 in independent form, and thus submit that the claim is allowable as previously being indicated as allowable. Claims 34-39 depend on Claim 33 and therefore are also allowable for at least being dependent upon an allowable independent claim.

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The Rejection of Claims 28-32

Claims 28-32 were rejected under 35 USC § 103 (a) as being unpatentable over US Patent Number 6,065,421 to Huller et al. in view of US Patent Number 6,443,089 to Goucher et al.

Applicants submit that amended Claim 28 is not made obvious by a combination of the cited references. Amended Claim 28 is directed to a watercraft, such as a sit-on-top kayak, and specifically includes a seat which is arranged so that an operator of the kayak sits in the seat with the operator's legs being exposed, as opposed to a sit-inside kayak where the legs of the operator are covered. Both *Huller* and *Goucher* disclose sit-inside kayaks. The seat in Claim 28 has been more specifically defined so that it is arranged as in a sit-on-top kayak. Neither of the references, nor a combination of the references discloses an inflatable seat that is capable of supporting a user for a sit-on-top kayak. *Huller* does not disclose an inflatable seat. The inflatable seat of *Goucher* utilizes the internal structure of the kayak to support the seat. Nothing in the reference suggests a structure that is capable of supporting a user on top of a watercraft as set forth in amended Claim 28. Moreover, the references do not disclose both a front and rear cargo department. Applicants respectfully contest the statements within the Office action that adding a rear recessed cargo area is obvious in view of a front recessed cargo area, and request the Examiner to provide support for such a broad statement.

In view of the foregoing, Applicants submit that the rejections of Claim 28 should be withdrawn.

For the sake of clarity, the independent claims of the application are discussed in this Amendment. Applicants submit that the independent claims are allowable, and therefore the dependent claims are allowable at least because they are dependent upon allowed claims. Nevertheless, Applicants submit that the dependent claims further define subject matter not shown or made obvious by the prior art.

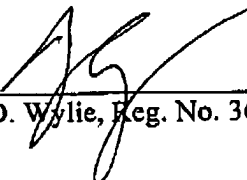
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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1-46 define patentable subject matter, and that the application is in good and proper condition for allowance. Such action is respectfully solicited.

If the foregoing does not result in a Notice of Allowance in the application, Applicants earnestly solicit the Examiner to call the undersigned at 206-521-5984.

Respectfully submitted,



Roger D. Wyllie, Reg. No. 36,974

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